



# Apprenticeships, Skills, Children and Learning Act 2009

## 2009 CHAPTER 22

### PART 10

#### SCHOOLS

### CHAPTER 2

#### COMPLAINTS: ENGLAND

#### **215 Permitted disclosures of information by Local Commissioner**

- (1) A Local Commissioner may disclose to Her Majesty's Chief Inspector of Education, Children's Services and Skills any information obtained by the Local Commissioner under or for the purposes of this Chapter if the information appears to the Local Commissioner to relate to a matter in respect of which the Chief Inspector has functions.
- (2) A Local Commissioner may disclose to the Parliamentary Commissioner for Administration any information obtained by the Local Commissioner under or for the purposes of this Chapter if the information appears to the Local Commissioner to relate to a matter in respect of which the Parliamentary Commissioner has functions.
- (3) A Local Commissioner may disclose to the Information Commissioner any information obtained by the Local Commissioner under or for the purposes of this Chapter if the information appears to the Local Commissioner to relate to—
  - (a) a matter in respect of which the Information Commissioner could exercise any power conferred by—
    - (i) Part 5 of the Data Protection Act 1998 (c. 29) (enforcement);
    - (ii) section 48 of the Freedom of Information Act 2000 (c. 36) (practice recommendations); or
    - (iii) Part 4 of that Act (enforcement); or

*Status: Point in time view as at 01/09/2010. This version of this provision has been superseded.*

*Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009, Section 215 is up to date with all changes known to be in force on or before 30 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (b) the commission of an offence under—
- (i) any provision of the Data Protection Act 1998 other than paragraph 12 of Schedule 9 (obstruction of execution of warrant); or
  - (ii) section 77 of the Freedom of Information Act 2000 (offence of altering etc. records with intent to prevent disclosure).
- (4) A Local Commissioner may disclose to a [<sup>F1</sup>local authority] (within the meaning given by [<sup>F2</sup>section 579(1)] of the Education Act 1996 (c. 56)) any information obtained by the Local Commissioner under or for the purposes of this Chapter if the information appears to the Local Commissioner to relate to a matter in respect of which the authority has functions.
- (5) A Local Commissioner may disclose to the Secretary of State any information obtained by the Local Commissioner under or for the purposes of this Chapter if the information appears to the Local Commissioner to relate to the Secretary of State's functions under section 220.
- (6) Nothing in section 214(1) applies in relation to the disclosure of information in accordance with this section.

#### Textual Amendments

- F1** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#) , **Sch. 2 para. 16(2)**
- F2** Words in s. 215(4) substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), art. 1, **Sch. 2 para. 16(10)**

#### Commencement Information

- I1** S. 215 in force at 19.4.2010 for specified purposes by [S.I. 2010/303](#), art. 5, **Sch. 4** (with arts. 9-11)
- I2** S. 215 in force at 1.9.2010 for specified purposes by [S.I. 2010/1151](#), art. 4, **Sch. 2**

**Status:**

Point in time view as at 01/09/2010. This version of this provision has been superseded.

**Changes to legislation:**

Apprenticeships, Skills, Children and Learning Act 2009, Section 215 is up to date with all changes known to be in force on or before 30 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.